

### III. REMARKS

1. Claims 1-59 have been cancelled without prejudice. Claims 60-85 are new.
2. Applicants respectfully submit that claims 60-85 are patentable over the combination of Luzeski et al. (US 6,430,177, "Luzeski"), Parasnis et al. (US 6,728,753, "Parasnis"), and Broussard (US 6,269,483) under 35 USC 103(a).

The combination of Luzeski, Parasnis, and Broussard fails to disclose or suggest

sending a notification message by the messaging server to a recipient wireless terminal indicative that the multimedia message is available for retrieval by the recipient wireless terminal;

receiving by the messaging server a request for the multimedia message that has been notified to the recipient wireless terminal from the said recipient wireless terminal and responsively sending by the messaging server to the recipient wireless terminal the multimedia message containing the information describing the streamable media component as a component of the multimedia message; and

forming a streaming session between the messaging server and the recipient wireless terminal, using the information describing the streamable media component.

as substantially recited by claims 60, 70, 76, 83, and 85.

The present claims provide a store-and-forward approach to streaming which provides the receiver with flexibility as to whether and when to receive and play back a streamable media component within a multimedia message. In addition, the present claims include sending information describing the streamable media component as a media component of a multimedia message from messaging server to a recipient terminal. Sending the description of the streamable component as a media component advantageously allows utilization of existing multimedia messaging systems with minor changes.

The combination of cited references does not appear to disclose or suggest these features.

Therefore, the combination of Luzeski and Parasnus fails to render independent claims 60, 70, 76, 83, and 85, and dependent claims 61-69, 71-75, 77-82, and 84 unpatentable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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Date

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